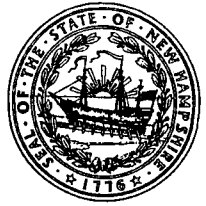




State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
(603) 271-1370 FAX (603) 271-1381



March 20, 2000

Ms. Marcella Perry
Middleton Building Supply, Inc.
5 Kings Highway
Middleton, NH 03887

CERTIFIED MAIL (Z 535 302 036)
RETURN-RECEIPT REQUESTED

LETTER OF DEFICIENCY
LOD NO. ARD 2000-007

Dear Ms. Perry:

On September 9, 1999, a New Hampshire Department of Environmental Services, Air Resources Division ("DES") representative conducted an inspection of Middleton Building Supply, Inc., located at 5 Kings Highway, Middleton, NH. The purpose of the inspection was to determine compliance with applicable air quality requirements, including NH Administrative Rules Env-A 100-3600, NH Rules Governing The Control of Air Pollution.

As a result of the inspection, the following violations were identified:

1) Middleton Building Supply, Inc. was operating a Hurst boiler that has a rated capacity of 10.4 mmBtu/hr (based on nameplate capacity of 10,350 lb. steam/hr.) and burns #2 fuel oil. In accordance with Env-A 607.01(a), this unit is specified as requiring a permit. Middleton Building Supply, Inc., failed to apply for a state permit to operate for the Hurst boiler prior to the expiration of temporary permit TP-B-0281 on August 31, 1995.

Env-A 603.01(b) requires no person shall cause or allow the operation of an existing stationary source, area source, or device as specified in Env-A 608.01, which is required to hold a state permit to operate without having applied for and been issued a state permit to operate.

Env-A 608.01(a)(2) requires the owner or operator of any stationary source, area source or device specified in 607.01 shall obtain a state permit to operate prior to the expiration date of a temporary permit.

2) Title 40 Code of Federal Regulations Part 60, Subpart Dc, Section 60.48c(d) requires the owner or operator of each affected facility subject to the SO₂ emissions limits, fuel oil sulfur limits, or percent reduction requirements under 60.42c to submit quarterly reports.

Other than an initial report submitted July 25, 1994, Middleton Building Supply has submitted no quarterly reports. The reports should document the fuel oil sulfur content as outlined in Section 60.48c(f) as described above. Submittal of the quarterly reports fuel use reports was also required by permit TP-B-281.

DES believes the above-referenced deficiencies can be resolved by Middleton Supply, Inc. adhering to the following actions:

1) Please submit completed applications within thirty (30) days of receipt of this letter for the Hurst boiler. Enclosed for your convenience are the appropriate application forms;

2) Provide quarterly reports (due within 30 days from the end of each calendar year quarter) which document the sulfur content of the fuel oil as required. The first report should have been submitted for the fourth quarter of 1999 and was due by January 30, 1999; and

3) Provide a written response to this Letter of Deficiency within ten (10) days of receipt of this letter discussing the violations and providing any information that you feel DES should consider.

Enclosed is a current copy of the applicable Air Resources Division rules and application forms for the Hurts boiler. DES looks forward to working with you to resolve these matters. If you or members of your staff have any questions regarding these matters, please feel free to contact Ms. Mary Ruel at (603) 271-6795.

Sincerely,


COPY

Robert R. Scott
Administrator Compliance Bureau
Air Resources Division

Enclosures: Applicable portions of Env-A 600, and Env-A 700
 Application forms

cc: K. A. Colburn, Director, NHDES-ARD
 G. Rule, NHDES-O/C
 T. McCusker, EPA Region I
 Town of Middleton, Board of Selectmen